

December 8, 2003

**City of Milton-Freewater
City Council Minutes**

The Council of the City of Milton-Freewater met in regular session on Monday, December 8, 2003 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Key, Councilors Saager, Lyon, Humbert, Woods, Records and Kelley. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Electric Superintendent Mike Charlo, Public Works Superintendent Howard Moss, Grant Writer Mike Watkins, City Planner Gina Hartzheim, Planning Assistant Kim Kelp and Police Chief Mike Gallaher. Citizens present were Curtis Walter, Darrell and Margaret Key, Wilmer Grams, Patty Key, Randy and Susan Dohrmann, Theron and Rhiana Sheridan, Paul and Tammy Seaquist, Jim Stenkamp, Sheila Hagar, Markie McRae, Beverley McRae, Larry Baird, Doug Wheeler, Burt Handy, Bob and Kay West, Anita Lutcher, Doris Talbott, Ole and Vonnies Olesen, Bob Martin, Ben Case, Richard and Elizabeth Curtis, and Jasper Winn.

Members of the press present were Jeff Durham of the Blue Mountain Pioneer, Dennis Widmer of the Valley Herald, and Kathy Korengal of the Walla Walla Union Bulletin.

CONSENT CALENDAR ITEMS: Items on the consent calendar include minutes from the November 24, 2003 meeting. Councilor Kelley moved to adopt the Consent Calendar and Councilor Humbert seconded the motion which passed unanimously.

Mayor Key announced this was the opportunity for citizens to approach the council with items not on the agenda.

Darrell Key, 618 County Road, expressed questions and concerns regarding Milton-Ditch issues. Public Works Superintendent Howard Moss addressed citizens and council stating the background of the questions and concerns are that the Bonneville Power Administration (BPA) has asked that all users of the Milton Ditch system to sign about a 20-page document recognizing that the project will go forward, consolidating the Milton Ditch waters to a pumping system. When the document was reviewed, legal counsel Doug Hojem also reviewed the document and wanted a statement to be included within the document saying that by signing the agreement doesn't affect the usability of the Milton Ditch storm water conduit. The City has asked that this clause be added to the document referred to by Mr. Key, but Bonneville Power Administration did not want to be involved with any second or third party local issues relative to a federal project. Mr. Hojem prepared the document that Mr. Key has referred to and Mr. Moss hand-delivered this particular document to each Milton Ditch user. It is planned that by tomorrow, BPA will award the funds for this project, but will not award the funds without the City's signature. Legal counsel has asked the City not to sign without a majority of user signatures. Councilor Humbert asked Mr. Moss to clarify that this project is not a city

project, but in fact, a federal project. Mr. Moss concurred, stating the only reason the contract comes to the City is as a user of the ditch. Councilor Woods stated he thought that after the project was finished, the City would be the only user. Mr. Moss clarified this by stating the City would be the largest user, but not the only user. Councilor Lyon asked if the City's signature was required before BPA would award the funds. Mr. Moss said that BPA had said they would not award any funds without all user signatures, including the City's signature. Councilor Humbert asked for a copy of the agreement. Councilor Saager asked if the Walla Walla River Irrigation District Board could sign the agreement for all users. Mr. Moss said that was a legal question, but did comment the board represented all users.

Gordon Key, 632 County Road, stated the odor at the sewage treatment facility was progressively getting worse. Mr. Key said he thought the odor was originated from chemicals and asked what chemicals were being used. Mr. Moss said the sewage treatment plant was upgraded about a year and one-half ago, and at that time the City tried to be careful with the mechanical upgrades necessary as well. This past year beginning in early spring up through mid-summer, the City worked diligently to get the plant biologically efficient. This process primarily associated with an anaerobic digester. Closer to fall the plant became healthy, but about three weeks previously there was a boiler problem in the digester when temperatures became cooler. In answer to the chemicals used, chlorine is used as a disinfectant, flocculation is used for biological needs, and then there are some testing agents used. The odor issue is under review at this time.

NEW BUSINESS

ORDINANCE 916 Amending Chapter 6 of Title 5 of the Municipal Code Concerning Electric Regulations. Electric Superintendent Mike Charlo stated that two changes in the fact-sheet are larger than others. The others are merely typos or numbering changes in the code. The first change in the code has to do with primary metering. There are a few installations with primary metering where the meter and equipment are actually attached to the primary conductors and primary voltage is metered. This is done with a large customer. An example would be Orchard Homes. The code was not worded well where the separation occurred; where the City's property ended and the customer's property began. Mr. Charlo stated he added a section to clarify this issue without confusion. The other substantial change is in Section 5-6-16, which did say "Customer's Responsibility for City's Property" and was changed to "Damage to City Property" due to an incident where City property was damaged at Rite-Aid, but it was not the customer that did the damage—it was a trucking company that gave the City a chase to get their money for damages.

Councilor Records moved Ordinance No. 916, be introduced and full reading waived. Councilor Lyon seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Humbert, yea, Councilor Woods, yea, Councilor Records, yea, and Councilor Kelley yea. Motion carried unanimously. The City Manager then read the ordinance by title. Councilor Saager moved to adopt Ordinance No. 916 by

title only and full reading waived. Councilor Humbert seconded and the motion carried unanimously. The City Manager read the ordinance by title. Councilor Humbert moved to adopt Ordinance No. 916, Councilor Woods seconded and a roll call vote was taken: Councilor Saager, yea, Councilor Lyon, yea, Councilor Humbert, yea, Councilor Woods, yea, Councilor Records, yea and Councilor Kelley, yea.

BID AWARD Skate Park Design and Construction. Public Works Superintendent Howard Moss said he was very pleased to bring this matter before council as it had been a project and discussion for a very long time. The location of the Skate Park will be at Freewater Park. Proposals were sent out for Phase I of the project. The budget level is at approximately \$34,000.00 at which \$20,000.00 is the City's commitment. The balance was generated with grants and donations. By design, a request for proposal was broken into two phases knowing the available funding source would not construct the entire park, but desired a start. The City only received one proposal after conversing with more companies within the business. We received the one proposal from Dreamland Skate Parks, LLC in the amount of \$34,400.00. Mr. Moss stated they were experienced with building skate parks and the Phase I will be somewhat more advanced for the users of the skate park facility because the City can take advantage of technique and design. As we build Phase I, it is the hope that other donations will come forth along with the possibility of volunteer contractors. If awarded, Dreamland Skate Parks, LLC would like to start soon with a June 30, 2004 deadline for Phase I.

Councilor Humbert moved to award contract 182, Phase I to Dreamland Skate Parks, LLC in the amount of \$34,400.00. Councilor Kelley seconded the motion which passed unanimously.

PUBLIC HEARING: Appeal of Planning Commission Decision Approving Conditional Use Permit Allowing Construction of Townhouses on College Street.

Mayor Key stated he did not have any financial interest in the Townhouses, but because he was associated in business with Mr. Paul Seaquist, Mayor Key excluded himself from the discussion and turned the proceedings over to Council President Herb Saager.

Councilor Saager opened the hearing and read the directive reviewing responsibilities and procedures to both Council and Citizens.

Councilor Saager asked if anyone wanted to disclose Ex parte contact. Councilor Woods stated he was contacted by members of his ward, but the issues will be discussed during this hearing. Councilor Saager asked members of the audience if they wished to challenge any councilor's right to participate in this hearing. None responded.

Councilor Saager asked if Notice of Hearing had been published. Assistant City Manager Linda Hall stated that this had been done.

Councilor Saager asked if there had been any written comments. Assistant City Manager Linda Hall stated her office had received five letters in opposition, or in support of the

appeal. These letters were from Duane and Joyce Plyter dated October 2, 2003, Leon and Delores Olsen dated November 2, 2003, Doris Talbott undated, Sheila Hagar dated December 5, 2003, Burt Handy undated. There were two letters upholding the Planning Commission's decision. Susan Dohrmann dated December 3, 2003 and Patty Key undated.

Councilor Saager asked City Planner Gina Hartzheim and Public Works Superintendent Howard Moss to give their reports. Ms. Hartzheim reported in detail the extensive process in which the Planning Commission endured, resulting in a unanimous decision to grant the Conditional Use permit subject to recommendations from the Site-Review committee. An appeal was then filed, which brings us to this point before Council. The majority of concerns brought before the Planning Commission, Ms. Hartzheim outlined on a flip-chart for council and citizens to view. These issues were affected water pressure adversely, adequate parking space, additional traffic generated, vision clearance for both traffic and elevated view, units potentially becoming rentals and assessed property values affected adversely. Ms. Hartzheim then went through the time-line of the conditional use permit application and Planning Commission public hearings. The Site-Plan Review Committee comprised of Department Head staff along with City Manager all of which unanimously supported the conditional use permit and staff recommendation at the conclusion of this hearing would be to deny the appeal and uphold the conditional use permit. Mr. Moss reviewed to council and citizens how the water system in the city works, showing locations of property and Well #2 on a map. Mr. Moss stated that water, as it is produced in the City, is pumped up to the middle reservoir and at this point there is a demand on water, water is delivered by gravity through a 16-inch water main going to a 4-inch water main which runs the full length of the alley from NW 8th to Locust. The water is also fed from NW 6th Avenue up over the hill, so fed from two areas. While the 4-inch water main is sub-standard, it is fed from two different directions. There is a larger diameter water main branching from the 4-inch main down to College Street at the point where, if this project is built, would be served. The advantage of this system is there is a 125-feet of cushioning for the water demand in a larger diameter main. Mr. Moss' recommendation regarding water is that he does not think there will be any problem.

Councilor Saager asked the appellant to speak. Kay West, 712 College Street, thanked council for allowing her to present her concerns. Ms. West also wanted to thank staff at City Hall, whom she said was very helpful. Ms. West stated her voice did not carry well, even with a microphone, so asked council if another spokesperson could continue. Council concurred. Rhiana Sheridan, 219 Balm, again thanked council for allowing her to address her concerns along with several neighbors. Ms. Sheridan then read from information sent to Kay West from City Planner Gina Hartzheim stating, We would like to thank the members of the City Council for this time to address our concerns. We feel confident that we all want what is best for our community and neighborhoods. We welcome improvement to the property at 686 College Street and are not opposed to development of this lot following the zoning ordinances and guidelines. We do oppose granting a conditional use permit to allow building four townhouse units on this

110 foot x 125 foot corner lot in our neighborhood per concerns listed on the November 17, 2003 Appeal. We feel that the following regulations support our concerns: Per the Milton-Freewater Comprehensive Plan binder: 1-3 (Finding 1-A): Citizen involvement is important to all phases of plan development and revision. 2-1: The Comprehensive Plan presents the official goals and policies concerning land use in the City of Milton-Freewater. The Comprehensive Plan is also the basis for all implementation actions such as zoning and land development ordinances. All land use regulations instituted by the City must be in compliance with the Comprehensive Plan. In order to properly manage and encourage growth, it is essential that goals and objectives be spelled out. Most importantly, they must be formulated in the public interest, have reasonably wide-spread support...*Please note that the majority of the residents in the surrounding neighborhood of 686 College Street oppose the proposed townhouse development. (Refer to signatures on the appeal). (The neighborhood is referred to as College Street to SW 8th; Maple, Balm, Cherry and Locust Streets). Again, referring to the Comprehensive Plan binder: NEED FOR THE PLAN (2-1; 202): "Harmony between and among jurisdictions." (Per Webster dictionary: "territory with which authority may be exercised"). Jurisdiction would mean College, Maple, Balm, Cherry, and Locust Streets with this interpretation. NEED FOR THE PLAN (2-1; 2-2) continued: "Coordinated comprehensive plans insure that neighboring jurisdictions have similar goals in mind. Incompatible development is not permitted." REGARDING ZONING: Milton-Freewater Title 10 Zoning Regulations (10-1-2): "The purpose of the zoning ordinance is to enhance the quality of life and protect the health, safety and enhance the general welfare of the citizens of the City of Milton-Freewater." How will building this townhouse development accomplish these goals? 10-1-2 (A): DESIGNATE LAND USE ZONES: "Designate land use zones which contribute to organized development of the community by restricting the location and relationships of uses..." *Note: this neighborhood consists of single homes. REGARDING STREET CONCERNS (College Street): PER the Milton-Freewater Public Facilities Plan (Beckendorf Associates Corp.): page 24; 2 Pedestrian System Plan: "All paved streets should have sidewalks or walkways on both sides of the roadway in order to meet the requirements set forth in the street standards. The city wishes to comply with this objective since the purpose of the system is to provide safe and direct access to all areas of the City, while at the same time encouraging people to walk as an alternate mode of transportation." *Note: IS COLLEGE STREET ON THE LIST OF STREETS TO BE IMPROVED? (End of letter). Ms. Sheridan then asked regarding the water pressure issue, What is the mandated PSI for all homes regardless of the elevation and how does the City monitor this? Ms. Sheridan stated that their only request is that the proposed development stay within the zoning guidelines. Ms. Sheridan further stated that population density code is for two units (multi-family). With four units, there could be forty (40) people on the property.

Councilor Saager invited all those supporting the appeal to speak.

Shiela Hagar, 704 College, directly across Balm Street from the proposed development, stated she had sent a letter to City Manager Delphine Palmer as a representative of a group of neighbors who are concerned. Ms. Hagar stated that she felt that all knew of the need for development, but stated her main concern was traffic. Ms. Hagar stated she has

five children, three very young, that play on College Street in her yard and occasionally on the sidewalk. Ms. Hager stated she wanted traffic to slow down on College Street, but was also concerned about the possibility of having sixteen (16) more cars at this new development. Ms. Hager thanked everyone that has been involved in the proposed development planning regardless of their position on this issue; she further stated that all have a vested interest in the City of Milton-Freewater.

Burt Handy, 220 Cherry, stated he built his home on Cherry Street about thirty-five (35) years ago and re-zoned the area to R-1 to keep our area nice. We have a zoning code for R-1 and a new zoning code for R-2. The population density allowed is 8 per acre in R-2. With this density, only 2.6 units would be allowed on the proposed development, not four (4). Mr. Handy then stated if the City is going to have zoning codes, follow them. If the City is not going to follow zoning codes, why have them?

Wilmer Grams, 662 College, addressed the issue of street width stating his pickup had been hit once, his neighbor's garage had been run into, to park on the street a vehicle has to be on the sidewalk, there is no place for people to walk. Mr. Grams further stated there was a lot of walking done on College Street and he was surprised that folks have not gotten hit. With regard to water pressure, Mr. Grams stated he didn't have pressure now and couldn't see how the additional units wouldn't affect water pressure adversely.

Ole Olesen, 225 Cherry, stated he liked what the Council was doing with the City and knew they were elected to make a decision this evening, but wanted to stand against the appeal while appropriate. Mr. Olesen stated, on the density issue, that if the conditional use permit were issued, and the development is allowed its four units, it would not break the 8-units per acre as of now, but with only one visit to the Planning Commission, there was no reassurance that that code would be maintained. Mr. Olesen further stated if this permit were allowed, it would not discourage other developers to apply for a similar permit which would change the neighborhood to a status that Mr. Olesen said he would not be in favor of.

Bob West, 712 College Street, stated he was looking at a picture of the proposed façade of the development, and Mr. West said that if a person drove through the neighborhood, the proposed townhouses do not look anything like the homes on College Street. Mr. West stated he could not see how these proposed townhouses could fit into the neighborhood, nor could they increase property value.

Larry Baird, 213 Balm, stated there was no safe place to walk on College Street with hit and miss sidewalks. With regard to the water pressure issue, if water pressure is not a problem, and City personnel know there are restricted meters in this area, how hard would it be for City personnel to identify those meters with individuals at these properties so the water pressure issue would not be so prevalent. Mr. Baird further said he would be in favor of two units, but four units would be a problem with anyone who would have RV's or boats.

Kay West, 712 College, stressed her point stating she was not opposed to the development, but asked that the City stay within zoning code. Please don't expand the zoning code.

Vonny Olesen, 225 Cherry, stated she lived above the proposed development property and said this development would obstruct her view and asked that Council stay within the zoning code. Ms. Olesen further stated her largest concern is the uniformity of the neighborhood. Ms. Olesen continued saying that a neighborhood with single family residences on larger lots is a treasure to be maintained. Ms. Olesen then told of her neighborhood in southern California where townhouses and apartment buildings sprang up all around them increasing crime and decreasing property values.

Beverly McRae, 816 Davis, stated she walked along the way of the proposed development and said it is a beautiful walk with a wonderful view of the mountains. One of the reasons a person builds on a hill is for the view and the Blue Mountains are a real treasure. Don't do anything to obscure the view. Ms. McRae also said the sidewalks were a problem for walkers.

Councilor Saager invited those in opposition of the appeal to come forward with testimony.

Jim Stenkamp, Architect from Richland, Washington, stated issues brought forward this evening has been addressed, but some, of which, could not be addressed such as the street width and traffic speed. The issues that can be addressed have to do with meeting the criteria and the needs necessary to obtain a conditional use permit. Mr. Stenkamp stated they had met all of that criteria. Mr. Stenkamp further stated with regard to the view, that this proposed development has great potential for a view as does other properties in the area. It has been Mr. Stenkamp's sincere effort to keep the development on this property as low a profile as possible. It was mentioned the proposed townhouses are three levels; however, because of the slope of the property, the townhouses will not be any higher than a two-story home. Addressing set-back criteria; space for landscaping was created and also on-site parking. Each unit has a two-car garage with space in front with more than the minimum set-back requirements. The picture of the façade may evolve slightly to create more individuality.

Bob Martin, Plan First Consulting, City of Walla Walla, stated he has twenty-six (26) years of municipal planning experience, some with the City of Milton-Freewater. Mr. Martin addressed Council stating the different criterion is what they had to consider this evening. Mr. Martin said that many comments were made to stay within the zoning code. This project meets the criteria described by the zoning code, thereby staying within the zoning code. We know this because the application is here, if the application were not here, it would have been illegal for the planning staff to approve the application to begin with. It is a conditional use, meaning it is permitted in the zone subject to meeting the criteria that the code determines for the application. The Council is in a position to determine whether the criteria have been met, and if the criteria have been met, the position is only to grant the application. Mr. Martin stated that the decision was not a

popular decision, but a decision based on criteria met. Mr. Martin addressed the traffic issue with numerical translations, but resulting in 9-net vehicle trips within the peak hours, translating to 1-net trip every ten minutes during peak hours.

Patty Key, 681 College which is across the street from where the proposed development of the townhouses, stated she would like to address several issues of the appeal. Ms. Key said there were currently seventeen (17) homes along this section of College Street and two (2) of these homes find it necessary to park on the street or block the sidewalk. Occasionally, parking may be found in front of two other homes, but most homes have off-street vehicle parking and the homeowners utilize this space. Ms. Key stated she backed from her driveway onto College Street as do most homeowners on this street, and this has never been a problem as this section of street is quite level allowing opportunity to see for some distance in either direction. The proposed development should have the same opportunity for backing from the proposed driveway. The new development is proposed to have a two car garage along with two additional off-street parking spaces for each dwelling, providing sixteen (16) off-street parking spaces for owners and guests to use, which is much more space than is available to this property now. With regard to water issues at this property, at the Planning Commission hearing it was pointed out that College Street has a 6-inch water main in front of the proposed development with transition to a 4-inch water main behind the proposed property. This should not affect water pressure to homes above as the water main is on College Street. Ms. Key further stated that water pressure was not an issue of volume, but rather elevation and that she has not had any trouble with water pressure at her property. Regarding approval of four dwellings on a lot zoned for less than three dwellings. Several years ago, the Planning Commission and Council established the R2 zone to accommodate this type of development; therefore, precedence was established at that time. Ms. Key stated she felt that the proposal met all of the eligibility requirements deemed necessary to construct the additional units on the proposed lot. Ms. Key continued stating she thought the proposed development would make a beautiful addition to the residential community and the City as demonstrated by the designs. Ms. Key then stated she did not believe the zoning code would allow denial of a permit based upon fear of the future. Ms. Key also said she did not think Council should not deny the permit simply by “conjuring a parade of horrors” particularly when Council has the power to prevent them. Ms. Key thanked Council for their consideration.

Susan Dohrman, 815 Jacquelyn, owner of the proposed property. Ms. Dohrman first shared her feelings and disappointment in the lack of confidence that some people have in our city government along with our elected positions. The City of Milton-Freewater has an excellent City Manager along with a very dedicated staff that is doing a great job. On a project of this nature their responsibility is to review the project from all aspects and make a recommendation to the Planning Commission as to the feasibility of the project and whether the project meets all the necessary requirements. The project then goes to the Planning Commission. This commission is made up of members who have submitted their names to the Mayor and council because of their interest in the direction of our community. From the applications, the Planning Commission members are selected by the Mayor and Council members. Upon reviewing the project proposal, the Planning

Commission studies all the facts, allows for discussions, and then votes on the project. If the project receives the Planning Commission's approval vote, the project should be allowed to move forward. Ms. Dohrman stated she was disappointed that a small group of citizens in our community do not have confidence in the above procedure to accept a project that has met all the necessary qualifications. This does not make a real positive statement for the governing body of our community. Ms. Dohrman said she was also disappointed that the project was being opposed because of issues which are not directly a result of the project. The traffic issue on College Street is something that is not caused by this project. Yes, there will be more homeowners on College Street, but the increased traffic produced by them is not going to make or break this issue. The other issue that continues to surface for discussion is the water pressure. Again, this is not an issue created by the proposed project and has been explained by the Superintendent of the Public Works department (Howard Moss), saying water pressure will not be affected. Last, Ms. Dohrman said she was disappointed that a project that will enhance the neighborhood and create higher property values for the City of Milton-Freewater, is challenged by a few citizens that do not represent the majority. Milton-Freewater is a community that is moving forward in a positive direction, which is very exciting. Part of the City Council's goals for 2003 is to promote development in the City. Hopefully, this project can be a part of that goal in providing a new concept in upper-end housing. Thank you for your time and consideration.

Councilor Saager then invited the appellant and all those who spoke in support of the appeal to rebut the testimony of those who spoke in opposition. Councilor Saager also asked to avoid repetition.

Kay West, 712 College, stated her basis for the appeal was the Comprehensive Plan and the basis for land use and zoning. Ms. Kay then quoted from the Comprehensive Plan regarding growth and development. Ms. Kay also stated that they did not poll the community, but did poll the immediate neighborhood, which overwhelmingly did not support the proposed development.

Councilor Saager invited all those who spoke in opposition to rebut the testimony of the appellant and others who are in support of the appeal.

Tami Seaquist, 1028 Jacquelyn, stated she has lived in the City of Milton-Freewater for fifty-six (56) years and has seen the City change. Ms. Seaquist said that if she lived in one of the townhouses, she would be a good neighbor, park her car in the garage or driveway. Ms. Seaquist said these townhouses will not be undesirable.

Councilor Saager asked if council members had any questions.

Councilor Lyon asked Mr. Stenkamp if the plan was to excavate the ground at street level. Mr. Stenkamp said that was part of the plan. Councilor Lyon then asked what would hold up the land bank in the back. Mr. Stenkamp said a retaining within the structure of the basement. The first floor is garage and bonus rooms. This area will also be a basement retaining wall. The second floor, main living, would have access to a

backyard. Councilor Lyon asked how much space would be in the back, if there would be room for kids to play. Mr. Stenkamp said the setback from the property line is twenty-four (24) feet.

Councilor Woods had a question for staff, a process question from a decision perspective, that the process was followed and the rules were followed as is indicated. Ms. Hartzheim said she would clarify the 8-units per acre question that has been raised. The R2 zone allows for a maximum, base density, 8-units per acre. Under a conditional use permit process, there is an allowance for an additional 8-units per acre that can be allowed if the City feels the criteria have been met.

Councilor Lyon asked for clarification on the 8-unit issue asking about the additional landscaping of 100 square feet per unit. Is there landscaping of 100 square feet per unit available there? Ms. Hartzheim stated that this can be met with window boxes and also the additional rear-yard setback. Councilor Lyon went through the nine criteria, of which the proposed project must meet four. Covered parking, diversity of design with the façade, no more than twelve units in one solid building, and upgrade the existing sidewalk are the four criteria.

Councilor Saager declared the hearing closed.

Councilor Humbert moved to deny the appeal and uphold the decision of the Planning Commission granting a conditional use permit to allow the construction of four townhouse units on College Street. Councilor Records seconded the motion. Councilor Kelley asked for some discussion, asking Councilor Humbert what he was upholding. Councilor Humbert stated he studied the packet, supported the Planning Commission and staff with regard to their extensive research, and criteria for the conditional use permit has been met. Councilor Kelley agreed. Councilor Woods thanked citizens for coming forward with legitimate concerns for their neighborhood. Councilor Kelley said that Oregon State was not in favor of allowing the City to extend their boundaries for housing growth and development, but instead thought the City could better use the existing land with density. She further stated that there are separate issues arisen that need to be addressed individually. Councilor Lyon stated he agreed with many of the people who spoke, but said he could not vote by how he thinks, but only by the criteria required at this time.

With a motion to deny the appeal by Councilor Humbert and seconded by Councilor Records previously, the motion was passed with a unanimous vote.

COUNCIL ANNOUNCEMENTS

Councilor Humbert said he did visit College Street that day and measured the street at only 24 feet wide. He said he felt there should be no parking on this street on either side. Balm Street is 30 feet wide. City Manager Delphine Palmer stated there were several issues on College Street, the street width one and water meters another one, and that these issues need and will be addressed. Mayor Key did say that College Street, at one time, was a dead-end street. Councilor Woods said he had driven along College Street and at

one point, it seems as if the walking area on the hill could cave. Public Works Superintendent Howard Moss stated he had a proposal on his desk to install barriers in this area. Mr. Moss also said there was a reason College Street wasn't built to City standards; that reason being funding. About twelve years earlier, College Street was widened, but the City could not raise the financing to achieve a standard width as was desired. Councilor Woods asked if he was correct in his assumption that the hill may possibly slide. Mr. Moss said the hill was not in danger of a landslide, but just the small slides that occur there. Councilor Saager said he thought when there were extreme problems with this area it was during heavy runoff with frozen ground along with rain as the main culprit.

There being no further Council business, the meeting was adjourned at 9:28 p.m.

Lewis S. Key, Mayor